

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEWAN PURI,

Plaintiff,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES,

Defendant.

CASE NO. C12-944 RAJ

ORDER

This matter comes before the court on the defendant's motion to dismiss for lack of subject matter jurisdiction. Dkt. # 14. Plaintiff has not responded to this motion, but on the same day filed a motion for summary judgment making substantive arguments. Dkt. # 15.

Federal courts are courts of limited jurisdiction that possess only that power authorized by Constitution and statute. *United States v. Marks*, 530 F.3d 799, 810 (9th Cir. 2008). The burden of establishing federal jurisdiction is on the party invoking federal jurisdiction. *Id.*

Plaintiff is the party invoking federal jurisdiction. Plaintiff has failed to respond to defendant's motion, or otherwise address how this court has subject matter jurisdiction. "If a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit." Local Rules W.D. Wash. CR

ORDER – 1

1 7(b)(2). Given plaintiff's failure to respond, the court finds that plaintiff has failed to
2 meet his burden of establishing that jurisdiction exists.

3 For all the foregoing reasons, the court GRANTS defendant's motion to dismiss
4 for lack of subject matter jurisdiction.

5 DATED this 30th day of April, 2013.

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9 The Honorable Richard A. Jones
10 United States District Judge
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